IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

BRANDI PRICE and CHRISTINE)
CHADWICK, on behalf of themselves and)
all others similarly situated,) CASE NO. 1:17-cv-00614-LGS
)
Plaintiffs,	
)
v.)
)
L'OREAL USA, INC. and MATRIX)
ESSENTIALS LLC,)
)
Defendants.)

PLAINTIFFS' NOTICE OF MOTION FOR CLASS CERTIFICATION, APPOINTMENT OF CLASS REPRESENTATIVES AND APPOINTMENT OF CLASS COUNSEL

PLEASE TAKE NOTICE that Plaintiffs, Brandi Price and Christine Chadwick (collectively, "**Plaintiffs**"), on behalf of themselves and all others similarly situated, respectfully move before the Honorable Lorna G. Schofield, pursuant to Rule 23 of the Federal Rules of Civil Procedure to certify the following Classes¹:

<u>Nationwide Class</u>: All persons in the United States and its territories who purchased Matrix Biolage Advanced Keratindose Pro-Keratin + Silk Shampoo, Pro-Keratin + Silk Conditioner, and/or Pro-Keratin + Silk Renewal Spray between January 26, 2013 and the present ("Nationwide Class");

<u>New York Class</u>: All persons who reside in the state of New York and purchased Matrix Biolage Advanced Keratindose Pro-Keratin + Silk Shampoo, Pro-Keratin + Silk Conditioner, and/or Pro-Keratin +

¹ Excluded from the Classes are (a) any person who purchased the Products for resale and not for personal or household use, (b) any person who signed a release of any Defendants in exchange for consideration, (c) any officers, directors or employees, or immediate family members of the officers, directors or employees, of any Defendants or any entity in which Defendants have a controlling interest, (d) any legal counsel or employee of legal counsel for any Defendants, and (e) the presiding Judge in this lawsuit, as well as the Judge's staff and their immediate family members.

Silk Renewal Spray between January 26, 2013 and the present

("New York Class"); and

<u>California Class</u>: All persons who reside in the state of California and purchased Matrix Biolage Advanced Keratindose Pro-Keratin +

Silk Shampoo, Pro-Keratin + Silk Conditioner, and/or Pro-Keratin +

Silk Renewal Spray between January 26, 2013 and the present.

("California Class").

Plaintiffs further respectfully move before the Honorable Lorna G. Schofield, pursuant to Rule 23 of

the Federal Rules of Civil Procedure, to (1) appoint Plaintiffs Brandi Price and Christine Chadwick as

representatives of the Nationwide Class; (2) appoint Plaintiff Brandi Price as representative of the New York

Class; (3) appoint Plaintiff Christine Chadwick as representative of the California Class; and (4) appoint the law

firms of Morgan & Morgan Complex Litigation Group, Barbat, Mansour & Suciu PLLC, Greg

Coleman Law, Sommers Schwartz P.C., and JTB Law Group, LLC as Class Counsel.

In support of this Motion, Plaintiffs ask that the Court consider the accompanying

memorandum of law, supporting exhibits, accompanying Declaration of Rachel Soffin and the

exhibits thereto, the pleadings on file, and oral argument as may be heard.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Scheduling Order

dated December 20, 2017 (Doc. No. 96), Defendants' opposition to this Motion, if any, must be

served on or before February 20, 2018, and Plaintiffs' reply papers in further support of this

Motion must be served on or before are March 5, 2018. Plaintiffs hereby request oral argument

on the instant Motion.

Dated: January 5, 2018

Respectfully submitted,

MORGAN & MORGAN COMPLEX LITIGATION GROUP

/s/ Rachel Soffin

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Attorneys for Plaintiffs and putative Class Members

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 5, 2018, I submitted the foregoing to the United States District Court for the Southern District of New York via electronic mail and copied all counsel of record in the case.

/s/ Rachel Soffin

Rachel Soffin